

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS

CIVIL ACTION NO.  
04-10040-REK

INTAC INTERNATIONAL, INC.	)
Plaintiff	)
	)
v.	)
	)
A CORP d/b/a ROOTERMAN and	)
DONALD MACDONALD,	)
Defendants	)
	)

**AFFIDAVIT OF DEFENDANT DONALD MACDONALD**

I, Donald MacDonald, based upon my own personal knowledge, depose and say:

1. I am the President and Chief Executive Officer of A Corp, a corporation duly organized under the laws of the Commonwealth of Massachusetts, with a usual place of business at 268 Rangeway Road, N. Billerica, Massachusetts.
2. A Corp is the franchisor of the Rooter-Man franchise system, and each year A Corp participates in an industry-wide trade show held over the course of a two-week period in February.
3. Participation in this trade show involves significant time and effort in developing marketing and promotional material for the franchise organization.
4. I am also scheduled to present a training seminar at this year's trade show that requires that I spend considerable time in preparation of my PowerPoint slide show presentation and training program.
5. I will be attending the trade show and related programs in Nashville, Tennessee for the period of time from Friday, February 13, 2004 through Wednesday, February 25, 2004.

6. These demands have significantly reduced the time available to me to participate and plan my responsive pleadings in the above-captioned matter.

7. Because of the number and complexity of the allegations contained in the Complaint, and the numerous factual and legal issues involved, I respectfully request an enlargement of the time period in which to prepare a complete and appropriate responsive pleading to Monday, March 22, 2004.

THE FOREGOING STATEMENTS ARE MADE UNDER THE PAINS AND  
PENALTIES OF PERJURY THIS 10<sup>th</sup> DAY OF FEBRUARY, 2004.

A handwritten signature in cursive script, reading "Donald MacDonal". The signature is written in dark ink and is positioned above the printed name.

Donald MacDonald